

October 13, 1966

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Edward J. Logue, Development Administrator
SUBJECT: Zoning Referrals

BOARD OF APPEAL

Re: Petition No. Z-654
Cambria-Scotia Co.
50 Dalton St., Boston

An opinion is sought from the Board of Appeal to determine that a theatre in a general business (B-2) district is sufficiently sound-insulated to confine all noise to the lot. This is a judgement and opinion specifically assigned to the Board of Appeal. No report required and recommend none be submitted.
Optional case

Re: Petition No. Z-655
Daniel Hamway
9 Alleyne Street, West Roxbury

A variance of front yard less than required is sought to erect a one family dwelling and garage in a single family (S-.5) district. Due to the irregular outline of the lot and its average depth of only 55 feet, it is practically impossible to meet the 25 foot requirement. Other lots on the street in the immediate proximity are non-conforming in this respect. Approval is recommended.
Optional case

VOTED: That in connection with Petition No. Z-655 brought by Daniel Hamway, 9 Alleyne Street, West Roxbury, for a variance of front yard less than required, to erect a one family dwelling and garage in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance. The code requirement of 25 feet cannot be met because of the irregularity of the lot and its shallow depth of 55 feet. Other lots on the street in the immediate proximity are also non-conforming in this respect.

Re: Petition No. Z-656
Angelo J. LaPaglia
1153-1157 Dorchester Ave., Dorchester

A forbidden use and three variances are sought for outdoor sale or display of new or used motor vehicles in an apartment (H-1) and Local Business (L-1) district. A private way, Dunn Street, lies at the right side of the proposed use. It serves three dwellings, runs from Dorchester Avenue to Pleasant St. and is approximately 360 feet long. Appellant states it is unpaved, supports no traffic and is unlikely to become more than a paper street. Inspection reveals that it was paved some years ago and supports traffic. The staff is not opposed to the use but feels the traffic visibility across the corner of Dorchester Avenue and Dunn Street should be observed. Transportation-Engineering Department concurs. Denial is recommended.

VOTED: That in connection with Petition No. Z-656 brought by Angelo J. LaPaglia, for a forbidden use and three variances for outdoor sale or display of new or used motor vehicles in an apartment and local business district, the Boston Redevelopment Authority is opposed to the granting of the variances. Dunn Street does carry traffic and the corner visibility at the intersection of Dorchester Avenue and Dunn Street should be observed.

Re: Petitions No. Z-657 thru Z-660
Fidelity Construction Corp.
136a, 138, 138a, 140 Belgrade Ave.,
Roslindale

A variance of lot size less than required is sought to subdivide one lot in a residential (R-.8) district into five substandard lots. Five one family row houses are in the stage of new construction. The creation of substandard lots is a grave violation of the intent and purpose of the code. No practical difficulty or hardship is evidenced. It is felt that the variance should not be allowed where new construction is involved. Denial is therefore recommended.
Optional case

VOTED: That in connection with Petitions No. Z-657 thru Z-660 brought by Fidelity Construction Corp., for a variance of lot size less than required to subdivide lot in a residential (R-.8) district, the Boston Redevelopment Authority is opposed to the granting of the variances. Permit to build five single family row houses on one lot was issued in June. Now

in September, buildings are up, petitioner asks to subdivide lot so as to create four substandard lots, each being less than 2000 feet in lot area and only 18 feet in lot width. This is not only contrary to the intent of the law but there is no hardship involved and further, starting new construction off with sub-standard conditions is a quick road to blight. There is also a side yard violation involved which has not been noted.

Re: Petition No. Z-661
Johnson Woodworking Co.
33 Moreland St., West Roxbury

Extension of a non-conforming use and variance of rear yard less than required are sought to erect a one story addition in a single family (S-.5) district. The existing building is occupied by a woodworking firm which has been at this locus since 1923. There will be no change in the present rear yard of 18 feet. This is a case of a reasonable expansion of less than 25%. Recommend approval.

VOTED: That in connection with Petition No. Z-661 brought by Johnson Woodworking Co., 33 Moreland Street, West Roxbury, for an extension of a non-conforming use and variance of rear yard less than required to erect a one story addition in a single family (S-.5) district, the Boston Redevelopment Authority has no objection to the granting of the petition. This case of normal expansion of less than 25% will not further adversely affect the neighborhood. The present rear yard of 18 feet will not be changed.

Re: Petition No. Z-662
James Setounis
108-110 Fulton St., Boston

A conditional use and off-street parking not supplied variance are sought to change occupancy from office and storage to four families in a light manufacturing (M-2) district. The locus is across the street from the Waterfront Project Area, which, at this section is to be developed for housing. The formula for parking requires 2.8 parking spaces. However, no parking spaces would be required if only two were required. Nevertheless, the Transportation Department reports that if conditional use is granted, a proviso be incorporated that parking facilities for 3 cars be established within 400 feet of the lot.

VOTED: That in connection with Petition No. Z-662 brought by James Setounis, 108-110 Fulton Street, Boston, for a conditional use permit and variance of off-street parking not supplied, to change occupancy from office and storage to four families in a light manufacturing district, the Boston Redevelopment Authority has no objection to the granting of the petition provided the off-street parking is supplied within 400 feet of the lot. The area is heavily congested and the lack of off-street parking would intensify the already severe problem.

Re: Petition No. Z-663
Sabatino Taricano
18 Union Street, Brighton

Two yard variances are sought to erect a one story addition to a single family dwelling in a residential (R-.5) district. The expansion is to be used as a bedroom. The existing non-conforming rear yard of 16 feet will not be affected. The side yard violation is minimal. Adjacent lots also have side yards less than the required ten feet. Abutters will not be deprived of light and air. Approval is recommended. Optional case

VOTED: That in connection with Petition No. Z-663 brought by Sabatino Taricano, 18 Union Street, Brighton, for two yard variances to erect a one story addition in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variances. The non-conforming rear yard will not be affected and the side yard violation is minimal. The addition will not be injurious to the neighborhood.

Re: Petition No. Z-664
Thomas J. Gerahty
100 Rosewood Street, Mattapan

A variance of side yard less than required is sought to erect a one family dwelling and one-car garage in a residential (R-.5) district. Eight of the required 8 feet 9 inches is supplied. All other requirements of the code have been met. Recommend approval. Optional case.

VOTED: That in connection with Petition No. Z-664 brought by Thomas J. Geraghty, 100 Rosewood Street, Mattapan, for a variance of side yard less than required to erect a one family dwelling and one car garage in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variance. The violation of nine inches is minimal. All other requirements of the code have been met.

Re: Petition No. Z-665
Catherine T. Michel
76 Bradlee Street, Hyde Park

A forbidden use is sought to confirm two family occupancy and erect a one story addition in a single family (S-.5) district. Appellant appealed a side yard violation to erect the addition in June. The Authority had no objection; however, the Board of Appeal denied the petition. The proposed addition now meets all requirements of the code. However, appellant now states the dwelling has always existed as a two-family house, has all appurtenances for such and requests validation for the two family use. Assessing Department records indicate the house has been assessed for two families. Approval is recommended. Optional case

VOTED: That in connection with Petition No. Z-665 brought by Catherine T. Michel, 76 Bradlee Street, Hyde Park, to change occupancy and erect a one story addition in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance. The proposed addition now meets all requirements of the code. The dwelling has all appurtenances for two families and is assessed for same.

Re: Petition No. Z-666
Hawthorne Realty Trust
960 Centre St., Jamaica Plain

A forbidden use and four variances are sought to erect a two story and basement 120 bed nursing home in a single family (S-.3) district. The property is located in a prime residential area, one of the finest in the city. This should be an application for a zone change. The appellant proposes a use which is allowed five zoning districts distant. The floor area ratio of .9 is far in excess of the allowed .3. The code requires 174,000 square feet of lot area for the forbidden use in this district. Only 46,000 square feet

would be supplied, a deficiency of 128,000 square feet. Centre Street is one of the most congested arteries in the city, used extensively day and evening. There is no curb parking. Only 30 of 85 parking spaces would be supplied. Transportation-Engineering Department is opposed. Denial is recommended.

VOTED: That in connection with Petition No. Z-666 brought by Hawthorne Realty Trust, 960 Centre Street, Jamaica Plain, for a forbidden use and four variances to erect a two story and basement 120 bed nursing home in a single family district, the Boston Redevelopment Authority is opposed to the granting of the variances. The property is located in a prime residential area, one of the finest in the city. The abutting institutions have been located in the area for many years with a minimum of change, if any at all. This should be an application for a well considered zone change, as the appellant proposes a use which is first allowed five zoning districts distant. The code requires 174,000 square feet of lot area for this forbidden use in the district; 46,000 sq. ft. only would be supplied, a deficiency of 128,000. Centre Street is one of the most congested arteries in the city, used extensively day and evening. A deficiency of 55 parking spaces is much to great particularly where curb parking is not allowed. The proposed density of three times the allowed floor area ratio is unreasonable and it does not meet any of the conditions required for a variance.

Re: Petition No. Z-667
Walter Lendraitus
102 Ocean Street, Dorchester

A side yard variance is sought to erect a two story addition in a residential (R-.5) district. Appellant proposes to enclose stairs and areaway over rear ell and provide egress from a bedroom. The five foot side yard which is now non-conforming will not be affected. Approval is recommended.

Optional Case